

**MINUTE ENTRY
FALLON, J.
JANUARY 4, 2007**

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

IN RE: PROPULSID : **MDL NO. 1355**
: **PRODUCTS LIABILITY LITIGATION** : **SECTION "L"**
: **JUDGE FALLON**
..... :

THIS DOCUMENT RELATES TO ALL CASES

A monthly status conference was held on December 19, 2006 in the Courtroom of Judge Eldon E. Fallon. In attendance for Plaintiffs were Russ Herman, Leonard Davis, Arnold Levin, Barry Hill, Richard Arsenault, Bucky Zimmerman, Dawn Barrios and Jim Capretz. In attendance for the Defendants were James Irwin, Chuck Preuss, Thomas Campion, Monique Garsaud and Tracie Militano. Special Master Patrick Juneau also attended the conference. At the conference, counsel reported to the Court on the topics set forth in Joint Report No. 51 of Plaintiffs' Liason Counsel (PLC) and Defendants' Liaison Counsel (DLC).

I. State Liaison Counsel/MDL Resolution Program II

The enrollment requirements for the Propulsid II settlement program have been met. The parties plan to file a Joint Notice Regarding Enrollment and Submission of Claim Forms. The Court will post the Joint Notice on its website once it is formally presented to the Court.

II. Trust Account

A deposit was made into the Trust Account on November 22, 2006. The PLC reported the total dividends on various funds, including \$495,000 on the administration fund; \$3,142,000 on the settlement fund; and \$320,000 on the attorney fund.

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III. Trial Schedule

The matter of *Gregory A. Gellner v. Johnson & Johnson Co., et al.* has been adjourned, and no new date has been set.

IV. MDL Mediation and Resolution Program

The Special Master reported that there are currently over 12,000 claimants who have enrolled in the First MDL Resolution Program, but did not submit claim forms. The Special Master continues to review claim forms to determine if the forms meet the qualifying criteria set forth in the term sheet. The Special Master informs Plaintiffs' counsel regarding the deficiencies of various claims as they arise.

The Special Master further reported that 113 claims have been submitted to the medical panel for review thus far. Six of these claims have qualified for compensation consideration for which the Special Master has made awards, and 79 claims have been declared ineligible. 28 claims are currently in the panel review process. Furthermore, 195 additional cases have totally cleared deficiencies and are anticipated to be ready for submission to the panel shortly.

The PLC and DLC have met with the Special Master by telephone on a weekly basis to discuss the progress of the program.

V. Pro se Plaintiffs

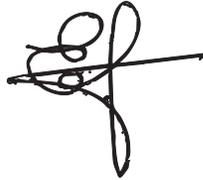
Following the Defendants filing of a Motion for an Order to Show Cause regarding *pro se* plaintiffs, the Court signed the Order and granted a hearing to dismiss the claims with prejudice set for January 3, 2007 at 9:00 a.m.

VI. Emergency Motion for Distribution of Attorney's Fees

The hearing on the Motion to Reconsider the Emergency Motion for Distribution of Attorney's Fees has been continued until March 14, 2007.

XI. Next Pretrial Status Conference

The next status conference will be held in person in the Courtroom of Judge Eldon E. Fallon on February 8, 2007 at 9:00 a.m., with liaison counsel to meet in Chambers at 8:30 a.m. The parties will confer and contact the Court as to whether the conference should be held via telephone instead. Dial-in information for participation by telephone will be posted on the Propulsid MDL website, if necessary, prior to the conference.

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